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7 UNITED STATES DISTRICT COURT FOR THE
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 HYRDOBEE, SPC., a Washington
11 corporation,

12 Plaintiff,

13 vs.

14 CITY OF SEATTLE,

15 Defendant.

16 No. 2:20-cv-1332

17 KING COUNT SUPERIOR COURT CAUSE
18 NO. 20-2-12717-5 SEA

19 NOTICE OF REMOVAL TO FEDERAL
20 COURT UNDER 28 U.S.C. § 1441

21 TO: THE UNITED STATES DISTRICT COURT, WESTERN DISTRICT OF
22 WASHINGTON, AT SEATTLE:

23 Defendant City of Seattle hereby gives notice that it is removing this case to the United States
District Court for the Western District of Washington on the grounds set forth below.

24 1. On August 18, 2020, this action was filed by plaintiff against defendant City of
25 Seattle in King County Superior Court under Cause No. 20-2-12717-5 SEA (*See* Complaint attached
26 to the Verification of State Court Records as Ex. 1).

27 2. The matter was assigned to The Honorable Douglass A. North, and the Court issued
28 an Order Setting Civil Case Schedule (attached as Ex. 2 to the Verification of State Court Records).

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30 NOTICE OF REMOVAL TO FEDERAL COURT UNDER 28 U.S.C. §
31 1441 - 1
32 2:20-cv-1332

33 Peter S. Holmes
34 Seattle City Attorney
35 701 5th Avenue, Suite 2050
36 Seattle, WA 98104-7095
37 (206) 684-8200

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2 4. Plaintiff filed a Summons directed to defendant City of Seattle, attached as Exhibit 3
3 to the Verification of State Court Records.

4 6. A copy of the King County Superior Court docket is attached as Exhibit 4 to the
5 Verification of State Court Records.

6 7. Upon information and belief, there have been no further proceedings in this action.

7 8. It appears that within the Complaint, Plaintiff alleges a Constitutional claim for a civil
8 rights violations under 42 U.S.C. § 1982, specifically, that the City of Seattle made unauthorized
9 entry to Plaintiff's commercial rental space and removed personal property. Plaintiff also alleges
10 state law claims of conversion, trespass and breach of contract. Further, Plaintiff demands judgment
11 against defendant City of Seattle for costs and attorney's fees, which may be unavailable to it in the
12 Superior Court of the State of Washington but are available when proceeding under 42 U.S.C. §
13 1982.

14 9. A claim for a violation of 42 U.S.C. § 1982 arises under and is controlled by the laws
15 and the Constitution of the United States and therefore falls within the original jurisdiction of the
16 United States District Court. *See* 28 U.S.C. §§ 1331, 1343 and 1441(a). The entire case may thus
17 be removed to the United States District Court for determination of all issues. *See* 28 U.S.C. §
18 1441(c) and 28 U.S.C. § 1446.

19 10. Defendant City has filed this Notice of Removal within thirty (30) days after receipt,
20 through service or otherwise, of a copy of plaintiff's Complaint. *See* 28 U.S.C. § 1446(b).

21 12. Intradistrict Assignment: Pursuant to Local Rule 101(e), defendant City notes that it
22 is removing this case to the Western District of Washington, Seattle Division, because the events
23 complained of occurred in King County.

13. This Court is the district court of the United States for the district and division embracing the place where the state court action is currently pending. *See* 28 U.S.C. § 1441(a).

WHEREFORE, defendant City hereby gives notice that the civil action in King County Superior Court, State of Washington has been removed from that Court to the United States District Court for the Western District of Washington at Seattle.

DATED this 8th day of September, 2020.

PETER S. HOLMES
Seattle City Attorney

By: /s/ Tara Gillespie
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Attorneys for Defendant City of Seattle

CERTIFICATE OF SERVICE

I hereby certify that on September 8, 2020 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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s/ Daviana Kadiyan
Daviana Kadiyan, Legal Assistant